

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

John W. Johnson, et al.,

Plaintiffs,

v.

Ecolab, Inc.,

Defendant.

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Civil Action No. 4:13-cv-03492

**DEFENDANT ECOLAB’S MOTION TO EXPEDITE BRIEFING
SCHEDULE ON ITS RENEWED MOTION FOR A STAY OF DISCOVERY
PENDING RESOLUTION OF ITS MOTION TO COMPEL ARBITRATION**

Defendant Ecolab Inc. (“Ecolab”) moves the Court to expedite the briefing schedule on its Renewed Motion to Stay Discovery Pending resolution of Ecolab’s Motion to Compel Arbitration and to Dismiss or Alternatively to Stay Litigation (“Motion to Stay”). Doc. 25.

Currently Ecolab’s responses to the Representatives’ discovery requests are due on March 31, 2014. The submission day under local rules for any response to Ecolab’s Motion to Stay is currently March 24, 2014. LR 7.3. Without expedited briefing and consideration of Ecolab’s Motion to Stay, Ecolab will effectively be denied the relief it seeks—it will have to undertake the burden of responding to discovery even though the Court may stay discovery pending resolution of the Motion to Compel Arbitration.

Ecolab requests that the Court modify the current briefing schedule to change the submission date from March 24, 2014 to next Monday, March 10, 2014. Shortening the submission period will not prejudice the Representatives, who will still have ample time to respond to Ecolab's six-page Renewed Motion to Stay Discovery and it will also allow the Court sufficient time to issue a ruling before the March 31, 2014 deadline to respond to the Representatives' discovery requests.

Dated: March 3, 2014.

Respectfully submitted,

Of Counsel:

Joy M. Soloway
State Bar No. 18838700
Eliot Fielding Turner
State Bar No. 24066224
FULBRIGHT & JAWORSKI L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
Telephone: (713) 651-5151
Telecopier: (713) 651-5246

/s/ Jeffrey S. Wolff
Jeffrey S. Wolff
State Bar No. 21865900
Federal ID No. 1392
FULBRIGHT & JAWORSKI L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
Telephone: (713) 651-5151
Telecopier: (713) 651-5246

*Attorney-in-Charge for Defendant
Ecolab Inc.*

CERTIFICATE OF CONFERENCE

Under Local Rule 7.1(D), of the United States District Court for the Southern District of Texas, counsel for Ecolab conferred with counsel for Plaintiffs on March 3, 2014, and counsel for Plaintiffs opposes the relief sought in this motion.

/s/ Jeffrey S. Wolff

Jeffrey S. Wolff

CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2014, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to all registered counsel of record.

/s/ Eliot Fielding Turner

Eliot Fielding Turner